UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DILLON & YUDELL LLP
8911 N. CAPITAL OF TEXAS HWY.,
SUITE 2110
AUSTIN, TX 78759

EXAMINER
NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/534,592	DUTTA, RABINDRANATH
	Examiner	Art Unit	
	Thu Ha T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01/03/06</u> .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

U.S. Patent and Trademark Office
PTO-326 (Rev. 04-01)   Office Action Summary   Part of Paper No. 20060319

DETAILED ACTION

1.   Claims **1-24** are presented for examination.

2.   Claims 1, and 9-17are currently amended.

Response to Arguments

3.   Applicant's arguments filed January 03, 2006 have been fully considered but they are not persuasive because of the following reasons:

4.   Applicant argues that neither Buckland nor Brendel teach or suggest the determining step is based on the recency of a time stamp contained within a client's request to receive a file from a content server. In response to applicant's argument, the examiner asserts that this argument has been considered but is mood in view of the new ground(s) of rejection.

5.   Applicant argues that Buckland does not teach or suggest the feature of "responsive to determining that the client's request to receive the file from the content server did not originate as the reference from _one of the set consisting of_ the load distribution server and the content server, sending to the client a file requesting that the client contact the load distribution server".

In response to Applicant's argument, Examiner asserts that Buckland does teach determining that the client's request does not include a first cookie site (_i.e., a reference from content server_), and then sending to the client 206 a first message includes a relocated/redirected "find-user" command (_i.e., a file requesting_) to contact another server (the control site 207) [see Buckland, col. 6, lines, 25-50].

Buckland does implicitly teach sending a first message having a

relocated/redirected command (i.e., a file requesting) to the client and instructing the

client to contact another server (control network site 207). However, Buckland does not

specially disclose a load distribution server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56

(figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns

and delivers all incoming requests from client to the assigned servers. Load balancer

also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-

40). One of ordinary skill in the Data Processing art would have motivation to modify

server (56) having load balancer (70), as disclosed by Brendel, into control network site

(207), as disclosed by Buckland to have a load distribution server that controls the

overload of traffic because it would provide an efficient communications system that

improve to avoid data bottleneck and reduce traffic load between servers (see Brendel,

col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

6.   Applicant argues that the updating bookmark of claim 4 does not teach or

suggest in references cited. In response to applicant's argument, examiner submits that

Nielsen teaches the feature of sending an email notification to inform client updating a

bookmark file when there is a sufficient changes to a web page as shown in figure 3,

col. 9, lines 14-60, col. 12, line 15-col. 13, line 61.

7.   As a result, cited prior arts do disclose a system and method of preventing

a client from directly contacting a server that is protected by a load distribution server

from an overload of traffic, as broadly claimed by the Applicant. Applicant clearly has

still failed to identify specific claim limitations that would define a clearly patentable

distinction over prior arts.

8.   Therefore, the examiner asserts that cited prior arts teach or suggest the

subject matter broadly recited in independent claims 1, 9, and 17. Claims 2-8, 10-16

and 18-24 are also rejected at least by virtue of their dependency on independent

claims and by other reasons set forth in this office action. Accordingly, claims 1-24 are

rejected as below.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

10.   Claims 1-3, 7, 9-11, 15, 17-19 and 23 are rejected under 35 U.S.C.

§ 103 (a) as being unpatentable over **Buckland** U.S. Patent No. **5,999,971**, and

Brendel et al., (hereinafter Brendel) U.S. Patent No. **5,774,660**, further in view of

Gupta et al. (hereinafter Gupta) U.S. Patent No. **6,226,752**.

11.   As to claim 1, **Buckland** teaches the invention substantially as claimed,

comprising a method of:

determining whether a client's request to receive a file from a content server

originated as a reference from one of a set consisting of the load distribution server and

from the content server (abstract, figures 2, 3, col. 2, lines 15-32, col. 6, lines 1-24 [a

client 206 sends a request to the first network site 200 *(i.e., content server)* in step 300.

Then, the process continues to step 302 to determine if the request includes a first

cookie site/first site data block from the first network site 200, wherein as is well-known

in the art that the cookie may be included in the request by the client browser 210, if the

client browser 210 had accessed the first network site 200 at some earlier time *(i.e.,*

determine whether the request originated as a reference from content server) [see

Buckland, figure 3, col. 6, lines 5-15]); and

responsive to determining that the client's request to receive the file from the

content server did not originate as the reference from one of the set consisting of the

load distribution server and from the content server, sending to the client a file

requesting that the client contact control network site (abstract, figures 2-3, col. 6, lines

25-37 [determining that the client's request does not include a first cookie site/first site

data block *(i.e., a reference from content server)*, then sending to the client 206 a first

message includes a "find-user" command *(i.e., a file requesting)* to contact another

server (the control site 207) [see Buckland, col. 6, lines, 25-50]]).

Buckland teaches sending a first message having a relocated/redirected

command (i.e., a file requesting) to the client and instructing the client to contact control

network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and

protecting a server from an overload of traffic and a feature of determining step is based

on the recency of a time stamp contained within a client's request to receive a file from

a content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56

(figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns

and delivers all incoming requests from client to the assigned servers. Load balancer

also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-

40). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention was made to incorporate server (56) having load balancer (70), as

disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to have

a load distribution server that controls the overload of traffic because it would provide an

efficient communications system to avoid data bottleneck, and to provide efficient

performing load-balancing among servers and highly fault-tolerant web site (see

Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a

time stamp contained within a client's request to receive a file from a content server

(col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line

11 –the browser sends a request associated with cookie containing time stamp). It

would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention was made to incorporate the feature of determining, based on the

recency of a time stamp contained within a client's request to receive a file from a

content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it

would have provided a new authentication mechanism for the security purpose by

authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

12.   As to claim 2, **Buckland** teaches the invention substantially as claimed in

claim 1, further comprising: responsive to determining that the request to receive the file

from the content server did originate as the reference from one of the set consisting of

the load distribution server and from the content server, sending to the client the file

requested (figure 3, elements 300, 302, 304, 318-320, col. 6, lines 16-24, col. 8, lines 1-

40 –*determining if the request access containing first site cookie (i.e., as a reference*

from content server) from the first network site, then providing the client the web page

(i.e., file requested) to which the client initially request access).

13.   As to claim 3, **Buckland** teaches the invention substantially as claimed in

claim 1, further comprising: including in the file requesting that the client contact the

control network site a means by which the client may directly contact the control

network site through an initiative of a user of the client (col. 6, lines 25-67 –*the client*

206 interacts with control network site 207). However, **Buckland-Gupta** does not

explicitly teach the client directly contacts with the load distribution server. **Brendel**, in

the related art, teaches the client directly sends request to load balancer or in the other

word the load balancer receives all requests from clients and assigns the requests to a

server (see Brendel abstract, col. 9, lines 18-40). It would have been obvious to one of

ordinary skill in the Data Processing art at the time of the invention was made to

incorporate a server having a load balancer, as disclosed by **Brendel**, into the system

of **Buckland-Gupta** to have a load distribution server that controls the traffic between

clients and servers because it would provide an efficient communications system to

avoid data bottleneck and to provide efficient performing load-balancing among servers

and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19,

lines 55-63).

14.   As to claim 7, **Buckland** teaches the invention substantially as claimed,

further comprising: including in the file requesting that the client contact the load

distribution server a means by which the client will contact the load distribution server

without intervention of the user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect*

command (i.e. file requesting) automatically sends to browser and instructs control

network site (207) to process the command and sends it to network site (200, 202,

204)).

15.   As to claim 9, **Buckland** teaches the invention substantially as claimed,

including a machine-readable medium having a plurality of instructions processable by a

machine embodied therein, wherein said plurality of instructions, when processed by

said machine, causes said machine to perform a method for preventing a client from

directly contacting a server, said method comprising:

determining whether a client's request to receive a file from a content server

originated as a reference from one of a set consisting of the load distribution server and

from the content server (abstract, figure 2, col. 2, lines 15-32, col. 6, lines 1-24 [a client

206 sends a request to the first network site 200 *(i.e., content server)* in step 300.

Then, the process continues to step 302 to determine if the request includes a first site

cookie/first network site data block (*i.e., as a reference originated from content server at*

some earlier time) from the first network site 200, wherein as is well-known in the art

that the cookie may be included in the request by the client browser 210, if the client

browser 210 had accessed the first network site 200 at some earlier time *(i.e.,*

determine whether the request originated as a reference from content server) (see

Buckland, figure 3, col. 6, lines 5-15)]; and

responsive to determining that the client's request to receive the file from the

content server did not originate as the reference from one of the set consisting of the

load distribution server and from the content server, sending to the client a file

requesting that the client contact the control network site (abstract, figures 2-3, col. 6,

lines 25-37 [Buckland does teach determining that the client's request does not include

a first site cookie/first network site data block (*i.e., as a reference from content server*),

then sending to the client 206 a first message includes a relocated/redirected "find-user"

command (*i.e., a file requesting*) to contact another server (the control site 207) (see

Buckland, col. 6, lines, 25-50)].

Buckland teaches sending a first message having a relocated/redirected

command (i.e., a file requesting) to the client and instructing the client to contact control

network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and

protecting a server from an overload of traffic and a feature of determining, based on

the recency of a time stamp contained within a client's request to receive a file from a

content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56

(figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns

and delivers all incoming requests from client to the assigned servers. Load balancer

also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-

40). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention was made to incorporate a server (56) having load balancer (70),

as disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to

have a load distribution server that controls the overload of traffic because it would

provide an efficient communications system to avoid data bottleneck, and to provide

efficient performing load-balancing among servers and highly fault-tolerant web site

(see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a

time stamp contained within a client's request to receive a file from a content server

(col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line

11 –*the browser sends a request associated with cookie containing time stamp*). It

would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention was made to incorporate the feature of determining, based on the

recency of a time stamp contained within a client's request to receive a file from a

content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it

would have provided a new authentication mechanism for the security purpose by

authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

16.   As to claim 10, **Buckland** teaches the invention substantially as claimed in

claim 9, said method further comprising: instruction for, responsive to determining that

the request to receive the file from the content server did originate as the reference from

one of the set consisting of the load distribution server and from the content server,

sending to the client the file requested (figure 3, elements 300, 302, 304, 318-320, col.

6, lines 16-24, col. 8, lines 1-40 –*determining if the request access containing first site*

cookie (i.e., as a reference from content server) from the first network site, then

providing the client the web page (i.e., file requested) to which the client initially request

access).

17.   As to claim 11, **Buckland** teaches the invention substantially as claimed in

claim 9, said method further comprising: instruction for including in the file requesting

that the client contact the control network site a means by which the client may directly

contact the control network site through an initiative of a user of the client (col. 6, lines

25-67 –*the client 206 interacts with control network site 207*).

However, **Buckland-Gupta** does not explicitly teach the client directly contacts
with the load distribution server.

Brendel, in the related art, teaches the client directly sends request to load
balancer or in the other word the load balancer receives all requests from clients and
assigns the requests to a server (see Brendel abstract, col. 9, lines 18-40).

It would have been obvious to one of ordinary skill in the Data Processing art at
the time of the invention was made to incorporate a server having a load balancer, as
disclosed by **Brendel**, into the system of **Buckland-Gupta** to have a load distribution
server that controls the traffic between clients and servers because it would provide an
efficient communications system to avoid data bottleneck and to provide efficient
performing load-balancing among servers and highly fault-tolerant web site (see
Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

18.   As to claim 15, **Buckland** teaches the invention substantially as claimed in
claim 9, said method further comprising: instruction for including in the file requesting
that the client contact the load distribution server a means by which the client will
contact the load distribution server without intervention of the user (col. 6, lines 38-67,
col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically sends to
browser and instructs control network site (207) to process the command and sends it
to network site (200, 202, 204)).

19.   As to claim 17, **Buckland** teaches the invention substantially as claimed,

including a system comprising:

means for determining whether a client's request to receive a file from a content

server originated as a reference from one of a set consisting of the load distribution

server and from the content server (abstract, figure 2, col. 2, lines 15-32, col. 6, lines 1-

24 [a client 206 sends a request access to the first network site 200 *(i.e., content server)*

in step 300. Then, the process continues to step 302 to determine if the request

includes a first site cookie/first network site data block *(i.e., as a reference from content*

server at some earlier time) from the first network site 200, wherein as is well-known in

the art that the cookie may be included in the request by the client browser 210, if the

client browser 210 had accessed the first network site 200 at some earlier time *(i.e.,*

determine whether the request originated as a reference from content server) (see

Buckland, figure 3, col. 6, lines 5-15)];

means for, responsive to determining that the client's request to receive the file

from the content server did not originate as the reference from one of the set consisting

of the load distribution server and from the content server, sending to the client a file

requesting that the client contact the control network site (abstract, figures 2-3, col. 6,

lines 25-37 [Buckland does teach determining that the client's request does not include

a first cookie site *(i.e., a reference from content server)*, then sending to the client 206 a

first message includes a relocated/redirected "find-user" command *(i.e., a file*

requesting) to contact another server (the control site 207) (see Buckland, col. 6, lines,

25-50)].

Buckland teaches sending a first message having a relocated/redirected

command (i.e., a file requesting) to the client and instructing the client to contact control

network site (control network site 207) [see Buckland col. 6, lines 25-50].

However, **Buckland** does not specifically teach a load distribution server and

protecting a server from an overload of traffic and a feature of determining, based on

the recency of a time stamp contained within a client's request to receive a file from a

content server.

Brendel, in the related prior art, teaches a load balancer 70 in the server 56

(figure 8, col. 10, lines 38-53) wherein the load balancer receives, keeps track, assigns

and delivers all incoming requests from client to the assigned servers. Load balancer

also attempts to balance the load of request among servers (figure 6, col. 9, lines 19-

40). It would have been obvious to one of ordinary skill in the Data Processing art at the

time of the invention was made to incorporate a server (56) having load balancer (70),

as disclosed by **Brendel**, into control network site (207), as disclosed by **Buckland** to

have a load distribution server that controls the overload of traffic because it would

provide an efficient communications system to avoid data bottleneck, and to provide

efficient performing load-balancing among servers and highly fault-tolerant web site

(see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

Gupta, in the related art, teaches determining step is based on the recency of a

time stamp contained within a client's request to receive a file from a content server

(col. 5, line 43-col. 6, line 20, col. 11, line 46-col. 12, line 24, col. 13, line 65-col. 14, line

11 –*the browser sends a request associated with cookie containing time stamp*). It

would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention was made to incorporate the feature of determining, based on the

recency of a time stamp contained within a client's request to receive a file from a

content server, as disclosed by **Brendel**, into **Buckland-Brendel** system because it

would have provided a new authentication mechanism for the security purpose by

authorizing the cookie expiration time (see Gupta col. 11, line 46-col. 12, line 24).

20.   As to claim 18, **Buckland** teaches the invention substantially as claimed in

claim 17, further comprising: means for, responsive to determining that the request to

receive the file from the content server did originate as the reference from one of the set

consisting of the load distribution server and from the content server, sending to the

client the file requested (figure 3, elements 300, 302, 304, 318-320, col. 6, lines 16-24,

col. 8, lines 1-40 –*determining if the request access containing first site cookie (i.e., as a*

reference from content server) from the first network site, then providing the client the

web page (i.e., file requested) to which the client initially request access).

21.   As to claim 19, **Buckland** teaches the invention substantially as claimed in

claim 17, further comprising: means: included in the file requesting that the client

contact the control network site a means by which the client may directly contact the

control network site through an initiative of a user of the client (col. 6, lines 25-67 –*the*

client 206 interacts with control network site 207).

However, **Buckland-Gupta** does not explicitly teach the client directly contacts with the load distribution server.

Brendel, in the related art, teaches the client directly sends request to load balancer or in the other word the load balancer receives all requests from clients and assigns the requests to a server (see Brendel abstract, col. 9, lines 18-40).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate a server having a load balancer, as disclosed by **Brendel**, into the system of **Buckland-Gupta** to have a load distribution server that controls the traffic between clients and servers because it would provide an efficient communications system to avoid data bottleneck and to provide efficient performing load-balancing among servers and highly fault-tolerant web site (see Brendel, col. 5, lines 55-col. 6, lines 5, col. 19, lines 55-63).

22.   As to claim 23, **Buckland** teaches the invention substantially as claimed in claim 17, further comprising: means, included in the file requesting that the client contact the load distribution server a means by which the client will contact the load distribution server without intervention of the user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204))*.

23.   Claims 4-6, 12-14, and 20-22 are rejected under 35 U.S.C. § 103 (a) as

being unpatentable over **Buckland** U.S. Patent No. **5,999,971**, **Brendel et al.,**

(hereinafter Brendel) U.S. Patent No. **5,774,660**, and **Gupta et al.** (hereinafter Gupta)

U.S. Patent No. **6,226,752**, further in view of **Nielsen** U.S. Patent No. **5,813,007**.

24.   As to claim 4, **Buckland-Brendel-Gupta** system substantially teaches the

feature of offering in the file requesting that the client contact the load distribution server

as substantially claimed in claim 1, and also teaches when the client contacts the

control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-

43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

It would have been obvious to one skill in the art at the time of the invention was

made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen**

into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark

file because it were conventionally employed in the art to provide a useful and enhance

system that monitor the sufficient changes of bookmarked information file/Web page so

that the user can be notified and update bookmark of the changed information file/Web

page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

25.   As to claim 5, **Buckland-Brendel-Gupta** system substantially teaches the

feature of offering in the file requesting that the client contact the load distribution server

as substantially claimed in claim 4, and also teaches when the client contacts the

control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-

43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates

the bookmark file of the changed of information file/web page, it is obvious that the

previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the

invention was made to incorporate the feature of updating a bookmark file, as disclosed

by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update

bookmark file because it were conventionally employed in the art to provide a useful

and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

26.   As to claim 6, **Buckland-Brendel-Gupta** system substantially teaches the feature of offering in the file requesting that the client contact the load distribution server as substantially claimed in claim 4, and also teaches when the client contacts the control network site, the control cookie site is dropped/stored and then the client has bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to include the load distribution server and exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed

information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

   27. As to claim 12, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 9, and also teaches when the client contacts the

control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (see Buckland col. 6, lines 51-67, col. 7, lines 29-

43, col. 8, lines 41-57).

   However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file.

   Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

   It would have been obvious to one skill in the art at the time of the invention was

made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen**

into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark

file because it were conventionally employed in the art to provide a useful and enhance

system that monitor the sufficient changes of bookmarked information file/Web page so

that the user can be notified and update bookmark of the changed information file/Web

page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

28.   As to claim 13, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 12, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines

41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates

the bookmark file of the changed of information file/web page, it is obvious that the

previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the

invention was made to incorporate the feature of updating a bookmark file, as disclosed

by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update

bookmark file because it were conventionally employed in the art to provide a useful

and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed

information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

29.   As to claim 14, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 12, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines

41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file to include the load distribution server and exclude the content

server.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates

the bookmark file of the changed of information file/web page, it is obvious that the

previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the

invention was made to incorporate the feature of updating a bookmark file, as disclosed

by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update

bookmark file because it were conventionally employed in the art to provide a useful

and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed

information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

30.   As to claim 20, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 17, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines

41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61).

It would have been obvious to one skill in the art at the time of the invention was

made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen**

into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark

file because it were conventionally employed in the art to provide a useful and enhance

system that monitor the sufficient changes of bookmarked information file/Web page so

that the user can be notified and update bookmark of the changed information file/Web

page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

31.   As to claim 21, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 20, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines

41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to

update a bookmark file to exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to

inform client updating a bookmark file when there is a sufficient changes to a web page

(figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates

the bookmark file of the changed of information file/web page, it is obvious that the

previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the

invention was made to incorporate the feature of updating a bookmark file, as disclosed

by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update

bookmark file because it were conventionally employed in the art to provide a useful

and enhance system that monitor the sufficient changes of bookmarked information

file/Web page so that the user can be notified and update bookmark of the changed

information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

32.   As to claim 22, **Buckland-Brendel-Gupta** system substantially teaches

the feature of offering in the file requesting that the client contact the load distribution

server as substantially claimed in claim 20, and also teaches when the client contacts

the control network site, the control cookie site is dropped/stored and then the client has

bookmarked the control network site (col. 6, lines 51-67, col. 7, lines 29-43, col. 8, lines 41-57).

However, **Buckland-Brendel-Gupta** system does not explicitly teach a means to update a bookmark file to include the load distribution server and exclude the content server.

Nielsen, in the related art, teaches the feature of sending an email notification to inform client updating a bookmark file when there is a sufficient changes to a web page (figure 3, col. 9, lines 14-60, col. 12, line 15-col. 13, line 61). While the client updates the bookmark file of the changed of information file/web page, it is obvious that the previous bookmarked information file/web page is excluded.

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to incorporate the feature of updating a bookmark file, as disclosed by **Nielsen** into the system of **Buckland-Brendel-Gupta** to include a means to update bookmark file because it were conventionally employed in the art to provide a useful and enhance system that monitor the sufficient changes of bookmarked information file/Web page so that the user can be notified and update bookmark of the changed information file/Web page (see Nielsen col. 1, lines 6-14, col. col. 4, lines 12-39).

33.   Claims 8, 16 and 24 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Buckland** U.S. Patent No. **5,999,971, Brendel et al.,** (hereinafter Brendel) U.S. Patent No. **5,774,660,** and **Gupta et al.** (hereinafter Gupta) U.S. Patent

No. **6,226,752,** further in view of **Subramaniam et al.,** (hereinafter Subramaniam) U.S.

Patent No. **6,081,900.**

34.   As to claim 8, **Buckland-Brendel-Gupta** system teaches the invention

substantially as claimed in claim 7, further comprising: including in the file requesting

that the client contact the load distribution server without intervention of user (col. 6,

lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically*

sends to browser and instructs control network site (207) to process the command and

sends it to network site (200, 202, 204)).

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow

the user of the client sufficient time to read and react to the file requesting that the user

of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server

(104) through external client (112) to border server (106) and has conventional

capabilities to automatically redirect client when a web site has moved/the URL for the

web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that

the conventional redirect request/URL is used when a user experiences a redirect from

one page to another by asking the user to click on a link or by means of automatic

redirection. It may leave a page on server to notify user whoever access to that page

that the name has changed or moved, thus, it has to give the user sufficient time to read

and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of

redirecting URL capability, as disclosed by **Subramaniam,** into system of **Buckland-**

Brendel-Gupta because it would provide a system has capability to notify the

redirecting/moving/changing of URLs for a web site thus the user can be notified and

react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam

col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

35.   As to claim 16, **Buckland-Brendel-Gupta** system teaches the invention

substantially as claimed in claim 15, further comprising: instruction for including in the

file requesting that the client contact the load distribution server without intervention of

user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting)*

automatically sends to browser and instructs control network site (207) to process the

command and sends it to network site (200, 202, 204)).

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow

the user of the client sufficient time to read and react to the file requesting that the user

of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server

(104) through external client (112) to border server (106) and has conventional

capabilities to automatically redirect client when a web site has moved/the URL for the

web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that

the conventional redirect request/URL is used when a user experiences a redirect from

one page to another by asking the user to click on a link or by means of automatic

redirection. It may leave a page on server to notify user whoever access to that page that the name has changed or moved, thus, it has to give the user sufficient time to read and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of redirecting URL capability, as disclosed by **Subramaniam,** into system of **Buckland-Brendel-Gupta** because it would provide a system has capability to notify the redirecting/moving/changing of URLs for a web site thus the user can be notified and react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

36.   As to claim 24, **Buckland-Brendel-Gupta** system teaches the invention substantially as claimed in claim 23, further comprising: including in the file requesting that the client contact the load distribution server without intervention of user (col. 6, lines 38-67, *col. 8, lines 58-65 – a redirect command (i.e. file requesting) automatically sends to browser and instructs control network site (207) to process the command and sends it to network site (200, 202, 204))*.

Buckland-Brendel-Gupta does not explicitly teach a means by which to allow the user of the client sufficient time to read and react to the file requesting that the user of the client contact the load distribution server.

However, **Subramaniam** teaches a redirect request sends from target server (104) through external client (112) to border server (106) and has conventional capabilities to automatically redirect client when a web site has moved/the URL for the

web site has changed to another URL (col. 6, line 47-col. 7, line 58). It is obvious that

the conventional redirect request/URL is used when a user experiences a redirect from

one page to another by asking the user to click on a link or by means of automatic

redirection. It may leave a page on server to notify user whoever access to that page

that the name has changed or moved, thus, it has to give the user sufficient time to read

and react with that notify.

Therefore, it were conventionally employed in the art to incorporate the feature of

redirecting URL capability, as disclosed by **Subramaniam,** into system of **Buckland-**

Brendel-Gupta because it would provide a system has capability to notify the

redirecting/moving/changing of URLs for a web site thus the user can be notified and

react to the change (i.e., update bookmark) if user desires to do so (see Subramaniam

col. 7, lines 1-10 and also see REDIRECT dictionary definition at netlingo.com).

Conclusion

37.   Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See

MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in

37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

38.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571)

272-3989. The examiner can normally be reached Monday through Friday from 8:00

AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding

is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

ThuHa Nguyen
March 19, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER